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Attorney Docket No.: 22596-536 NATL

10/528295

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANTS : Muller et al.

SERIAL NUMBER : 10/528,295 ✓

EXAMINER : Not Yet Assigned

FILING DATE : March 16, 2005

ART UNIT : Not Yet Assigned

FOR : NOVEL LAPACHO COMPOUNDS AND METHODS OF USE THEREOF

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Copies of Cited References: C1-14; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 22596-536 NATL. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Matthias Paros Reg. No. 50,572
Ivor R. Elrifi, Reg. No. 39,529

Attorney for Applicants

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GLOVSKY and POPEO, P.C.

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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before receipt of a first Office Action on the merits. Accordingly, no fee is believed due. By the waiver of 37 CFR 1.98(a)(2)(i) a copy of the U.S. Patent A1 is not submitted.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

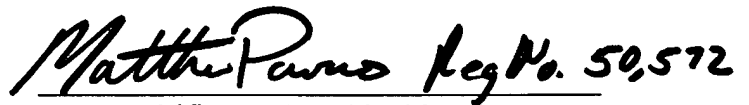
APPLICANTS:
U.S.S.N.:

Muller et al.
10/528 55

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 22596-536 NATL.

Respectfully submitted,

 Reg No. 50,572

Ivor R. Elrifi, Reg. No. 39,529

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Page 1 of 2
Attorney Docket No.: 22596-536 NATL

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| Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | Application Number | 10/528,295 |
| | Filing Date | March 16, 2005 |
| | First Named Inventor | Muller |
| | Group Art Unit | Not Yet Assigned |
| | Examiner Name | Not Yet Assigned |
| | Attorney Docket Number | 22596-536 NATL |

U.S. PATENT DOCUMENTS

| Exam Initials | Cite No. | U.S. Patent Document No. | Issue Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date If Appropriate |
|------------------|-------------|-----------------------------|------------|-------------------------------------|-------|--------------|-------------------------------|
| | *A1 | 6,174,913 B1 | 01/16/01 | Lee et al. | 514 | 443 | |
| | | | | | | | |

U.S. PUBLISHED APPLICATION DOCUMENTS

| Exam Initials | Cite No. | U.S. Published Application No. | Published Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date If Appropriate |
|------------------|-------------|-----------------------------------|-------------------|-------------------------------------|-------|--------------|----------------------------------|
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FOREIGN PATENT DOCUMENTS

| Exam Initials | Cite No. | Foreign Patent Document Office Number | Name of Patentee(s) or Applicant(s) | Date of Publication | Translation Yes No |
|------------------|-------------|--|-------------------------------------|------------------------|-----------------------|
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

| Exam Initials | Cite No. | Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc. |
|------------------|-------------|--|
| | C1 | Huang et al. <i>Mol. Med.</i> , 5:711-720 (1999) |
| | C2 | Lai et al. <i>Histol. Histopathol.</i> , 13:89-97 (1998) |
| | C3 | Li et al. <i>Cancer Res.</i> , 55(17):3712-3715 (1995) |
| | C4 | Li et al. <i>Proc. Natl. Acad. Sci. USA</i> , 96(23):13369-13374 (1999) |
| | C5 | Li et al. <i>Mol. Med.</i> , 5(4):232-239 (1999) |
| | C6 | Li et al. <i>Mol. Med.</i> , 6(12):1008-1015 (2000) |
| | C7 | Li et al. <i>Proc. Natl. Acad. Sci. USA</i> , 100(5):2674-2678 (2003) |
| | C8 | Müller et al. <i>J. Med. Chem.</i> , 39:3132-3138 (1996) |
| | C9 | Müller et al. <i>J. Med. Chem.</i> , 37:1660-1669 (1994) |
| | C10 | Müller et al. <i>J. Nat. Prod.</i> , 62:1134-1136 (1999) |
| | C11 | Munday <i>Free Radic. Biol. Med.</i> , 22(4):689-695 (1997) |

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Page 2 of 2
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| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | |
|---|-------------|--|
| Exam Initials | Cite No. | Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc. |
| | C12 | Planchon et al. <i>Cancer Res.</i> , 55:3706-3711 (1996) |
| | C13 | Weller et al. <i>Int. J. Cancer</i> , 73:707-714 (1997) |
| | C14 | Wuertzberger et al. <i>Cancer Res.</i> , 58(7):1876-1885 (1998) |

* By the waiver of 37 CFR 1.98(a)(2)(i) a copy of the U.S. Patent A1 is not submitted.

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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